

FITZPATRICK, CELLA, HARPER & SCINTO

1900 K STREET, N.W.
WASHINGTON, D.C. 20006-1110
202-530-1010

FACSIMILE (202) 530-1055

NEW YORK OFFICE

30 ROCKEFELLER PLAZA
NEW YORK, NEW YORK 10112-3801
(212) 218-2100
FACSIMILE (212) 218-2200

CALIFORNIA OFFICE

650 TOWN CENTER DRIVE, SUITE 1800
COSTA MESA, CALIFORNIA 92626-1925
(714) 540-8700
FACSIMILE (714) 540-9823

JOSEPH M. FITZPATRICK
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ROBERT C. KLINE *
COUNSEL

LAURA A. BAUER
CHRISTOPHER P. WRIST *
GARY M. JACOBS *
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JACK CUBERT
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HA KUNG WONG
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RACHEL A. NGUYEN
ROBERT L. POWLEY

December 27, 2000

HAND CARRY

Commissioner for Patents
Washington, D.C. 20231

ATTN: EXAMINER AVILA (GROUP 3617)

Re: Reissue Appln. No. 09/613,154

Dear Sir:

Please find enclosed a Protest Under 37 C.F.R. § 1.291 To Patentee's Application For Reissue Of U.S. Patent No. 5,979,350. The Protest originally was hand carried to the U.S. Patent and Trademark Office on October 27, 2000, as evidenced by the enclosed postcard receipt, but apparently has been lost. A second copy was hand carried to the U.S.P.T.O. on December 22, 2000, but that copy was left in the mail room because nobody was present in Group 3617 to receive it. Because the Protest was originally filed within the 2-month period prescribed by 37 C.F.R. § 1.176, the undersigned requests that the Examiner consider the Protest in his examination of the above-identified reissue application.

If you have any questions, please contact me in our Washington, D.C. office at (202) 530-1010. Thank you for your attention to this matter.

Respectfully submitted,

FITZPATRICK, CELLA, HARPER & SCINTO

By:

John W. Behringer
John W. Behringer
Reg. No. 23,086

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Date 10 / 27 / 00
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Atty. Docket 2673.300200

Application No. 09/613,154

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GROUP 3600

Sir:

Kindly acknowledge receipt of the accompanying:

- ☐ Response to Official Action. _____
- ☐ Check for \$ _____ (claims fee)
- ☐ Petition under 37 CFR 1.136 and Check for \$ _____
- ☐ Notice of Appeal and Check for \$ _____
- ☐ Information Disclosure Statement, PTO-1449 and _____ documents
- ☐ Claim for priority and certified copies of _____ priority applications
- ☐ Issue fee transmittal and Check for \$ _____

☒ Other (specify) Protest Under 37 C.F.R. § 1.291 To 45,599,350
by placing your receiving date stamp hereon and returning to deliverer.

Atty. EJH/JWB/tan

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FCIS-D-95